



3D31

# Fax

**DATE:** June 26, 2001

<b>TO:</b> Sharon Kennedy USPTO Art Unit 3763	<b>FROM:</b> Owen Bates ALZA Corporation
<b>FAX:</b> 703 305-3590	<b>FAX:</b> 650 564 2195
<b>PHONE:</b> 703 305-0154	<b>PHONE:</b> 650 564 7867
	<b>PAGES:</b> 7

**CONFIDENTIAL****FAX RECEIVED****Message:**

JUN 27 2001

To: Commissioner for Patents  
Box CPA  
Washington, D.C. 20231

**GROUP 3700**

**Docket No.:** ARC 2466 R1  
**First Named Inventor:** Cormier, Michel J. N.  
**Customer Number:** 22921

**Examiner:** S. Kennedy  
**Group/Art Unit:** 3763

**Re:** 08/877/155

**Titled:** Device and Method for Enhancing Transdermal Flux of Agents Being Delivered or Sampled

Dear Ms. Kennedy:

Enclosed with this fax is:

1. Continued Prosecution Application (CPA) Request Transmittal (Large Entity) including authorization to charge our deposit account, (two pages, in duplicate)
2. Certificate of Transmission under 37 CFR 1.8
3. Receipt for Facsimile Transmitted CPA

Sincerely,

Owen J. Bates  
ALZA Corporation  
Reg. No. 40,346

PTO/SB/97 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the  
Patent and Trademark Office

on 06/26/01  
Date

Elizabeth Grannell  
Signature

Elizabeth Grannell  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

The following papers listed below are submitted:

Receipt for Facsimile Transmitted CPA

Continued Prosecution Application (CPA) Request Transmittal (2 pages) in duplicate

Both regarding application S/N 08/877,155

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/29 (8/98)

Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. § 1.63(d))

CHECK BOX, if applicable:

☒ DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231Attorney Docket No.  
of Prior Application

ARC 2466 R1

First Named Inventor

Michel J.N. Cormier

Examiner Name

S. Kennedy

Group / Art Unit

3763

Express Mail Label No.

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),  
(continued prosecution application (CPA)) of prior application number 08/877,155,  
filed on June 17, 1997, entitled Device and Method for Enhancing Transdermal Flux of Agents

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on, or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

{Page 1 of 2}

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

08/877,155

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07/02/2001

01 FC:117

02 FC:131

03 FC:103

PTO/SB/29 (8/88)

Approved for use through 08/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (f))	47	-20* =	27	x \$18.00 =	\$ 486.00
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (f))	2	-3** =	0	x \$80.00 =	0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	710.00
Total of above Calculations =					1,196.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
* Refers to claims in excess of 20 and over original patent. ** Refers to independent claims over original patent.					TOTAL =

## 6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.  
b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 01-1173:

- a. ☐ Fees required under 37 C.F.R. § 1.16.  
b. ☒ Fees required under 37 C.F.R. § 1.17.  
c. ☐ Fees required under 37 C.F.R. § 1.18.

8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.9. ☐ New Attorney Docket Number, if desired \_\_\_\_\_

(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

10 a. ☒ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)11. ☐ Other: \_\_\_\_\_**NOTE:**The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.**12. NEW CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label**22921**

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

**13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)

Owen J. Bates

Signature

Registration No. (Attorney/Agent)

40,346

Date

June 26, 2001

PTO/SB/28A (8/98)  
Approved for use through 09/30/2000. OMB 0851-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

*If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in Item 1.*

# 1. ADDRESS

Applicant's Mailing Address for this receipt must be  
CLEARLY PRINTED or TYPED in the box below.

Owen J. Bates  
ALZA Corporation  
1900 Charleston Road, P.O. Box 7210, M10-3  
Mountain View, CA 94039-7210  
United States of America

## RECEIPT FOR FACSIMILE TRANSMITTED CPA

(To accompany a request for  
a Continued Prosecution Application (CPA)  
under 37 CFR 1.53(d)  
filed by facsimile transmission)

**NOTE:** By this receipt, the PTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the PTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.

## 2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)

### a. For prior application

Application No: 08/877,155  
Filing Date: June 17, 1997  
Title: Device and Method for Enhancing Transdermal Flux of Agents Being Delivered or Samples  
Attorney Docket No: ARC 2466 R1  
First Named Inventor: Michel J. N. Cormier

### b. For instant CPA application

New Attorney Docket No: .....  
(if applicable)

The PTO date stamp, which appears in the box to the right, is an acknowledgement by the PTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.

(THIS AREA FOR PTO DATE STAMP USE)

### PTO HANDLING INSTRUCTIONS:

Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the PTO and also include the PTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope and mail.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.